

APPLICANT(S): STEPHENS, Adrian  
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### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 1, 5-9, 13-17, 21-26, 28-31 and 33-34 are pending. Claims 1, 24 and 31 have been objected to. Claims 1, 5-9, 13-17, 21-26, 28-31 and 33-34 have been rejected and claims 1, 5-9, 17, 24-25, 29, 31 and 33 have been amended.

Applicant respectfully asserts that the amendments to the claims add no new matter.

### **Claim Objections**

In the Office Action, the Examiner objected to claims 1, 6, 24-25, 31 and 33 because of alleged informalities. Claims 1, 6, 24-25, 31 and 33 have been amended in order to cure these informalities. Accordingly, Applicant requests withdrawal of the objections.

### **CLAIM REJECTIONS**

#### **35 U.S.C. § 112 Rejections**

In the Office Action, the Examiner rejected claim 7 under 35 U.S.C. § 112, second paragraph, for having insufficient antecedent basis for the limitation "said multicast address" in line 4 in the claim. A similar issue occurs in claim 8 in terms of "the response".

Claims 7 and 8 have been amended to overcome the antecedent basis deficiencies noted by the Examiner. It is respectfully asserted that the foregoing amendment merely addresses matters of form.

Applicant respectfully asserts that these amendments render claims 7 and 8 proper under 35 USC 112 and request that the 35 USC 112 rejections be withdrawn.

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### **35 U.S.C. § 103 Rejections**

In the Office Action, the Examiner rejected claims 1 and 5-8 under 35 U.S.C. § 103(a), as being unpatentable over Pecen et al. (US 2005/0083961) in view of Benveniste (US 2005/0152324) and Pung et al. (US 2002/0150099) and Chuah et al (US 7,096,039) .

In addition, in the Office Action, the Examiner rejected claims 9, 13-15, 17, 22-26, 28-31, 33 and 34 under 35 U.S.C. § 103(a), as being unpatentable over Pecen et al. (US 2005/0083961) in view of Benveniste (US 2005/0152324) and Pung et al. (US 2002/0150099).

Applicant believes these rejections have been overcome in view of the amendments made above and the remarks that follow.

Amended independent claim 1 includes limitations that are not disclosed or suggested by the combination of Pecen in the view of Benveniste, Pung and Chuah.

It is well established that obviousness requires a teaching or a suggestion by the prior art of all the elements of a claim. Without conceding the appropriateness of the combination, Applicant respectfully submits that the combination of Pecen in the view of Benveniste, Pung and Chuah does not meet the requirements of an obvious rejection because the combination of the references does not disclose or suggest at least "... updating said multicast schedule or creating a coordinated multicast schedule which coordinates the multicast delivery with a power saving protocol of the client device based on the request, so that the client device will be awake when the multicast delivery of application data packets occurs; sending the information to the requesting client device according to the coordinated multicast schedule ...", as recited in amended independent claim 1. See, also Abstract, Fig. 2, Paragraphs [0020]-[0021] of the Application as Published.

Furthermore, Applicant respectfully asserts that Pecen discloses transmitting, receiving and setting a multicast schedule in a cellular system which does not have a power saving scheme. Thus Pecen does not suggest or hint "... creating a coordinated multicast schedule which coordinates the multicast delivery with a power saving protocol of the client device based on the request". Benveniste disclosed a power saving scheme in WLAN not having multicast schedule, and thus did not suggest "... creating a coordinated multicast

schedule which coordinates the multicast delivery with a power saving protocol of the client device based on the request." Thus, Applicant respectfully asserts that the combination of Pecen and Benveniste does not disclose or suggest "... creating a coordinated multicast schedule which coordinates the multicast delivery with a power saving protocol of the client device based on the request" as recited in amended claim 1.

Furthermore, Applicant respectfully asserts that the combination of Pecen and Benveniste, Pung and Chuah does not disclose or suggest this limitation.

Each of claims 5, 7 and 8 depends from claim 1, thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 5, 7 and 8 are similarly patentable over the cited references by virtue of at least such dependency.

While independent claims 9, 17, 24 and 31 each includes limitations different than those in claim 1, the arguments above with respect to amended independent 1 also apply to amended independent claims 9, 17, 24 and 31.

Amended independent claim 9 includes limitations that are not disclosed or suggested by the combination of Pecen in the view of Benveniste and Pung. Applicant respectfully submits that the combination Pecen in view of Benveniste and Pung does not meet the requirements of an obvious rejection because none of these references discloses or suggests at least "...coordinating based on the response a power saving protocol of said client device to accommodate the scheduled delivery of the information to awake state based on a multicast schedule; and receiving the information according to the coordinated scheduled delivery", as claimed in amended independent claim 9.

Each of claims 13-15 depends from claim 9, and thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 13-15 are similarly patentable over the cited references by virtue of at least such dependency.

Claim 17 as amended includes limitations that are not disclosed or suggested by the combination of Pecen in the view of Benveniste and Pung. None of these references discloses or suggests at least the claim element of "... to coordinate a power saving protocol of the wireless communication apparatus according to a response to said request ...", as claimed in amended independent claim 17.

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Each of claims 22-23 depends from claim 17, thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 22-23 are similarly patentable over the cited references by virtue of at least such dependency.

Amended independent claims 24 and 31 include limitations that are not disclosed or suggested by the combination of Pecen in the view of Benveniste and Pung. The combination of Pecen in the view of Benveniste and Pung does not disclose or suggest at least "... to update said multicast schedule or to create a coordinated multicast schedule [] which coordinates the multicast delivery of the information with a power saving protocol of each client device based on the request, so that the client device will be awake when the multicast delivery of application data packet the information occurs, and to send the information to the client application according to the coordinated multicast schedule", as claimed in amended independent claims 24 and 31.

Each of claims 25-26 and 28-30 depends from claim 24, and each of claims 33-34 depends from claim 31. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 25-26, 28-30 and 33-34 are similarly patentable over the cited references by virtue of at least such dependency.

Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 5-9, 13-15, 17, 22-26, 28-31, 33 and 34 under 35 U.S.C. § 103(a), as being unpatentable over (variously) Pecen, Benveniste, Pung and Chuah.

In addition, in the Office Action, the Examiner rejected claims 16 and 21 under 35 U.S.C. § 103(a), as being unpatentable over Pecen (US 2005/0083961) in view of Benveniste (US 2005/0152324) and further in view of Pung et al. (US 2002/0150099) and further in view of Chuah et al. (US 7,096,039). Claim 16 depends from independent claim 9 and claim 21 depends from independent claim 17. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 16 and 21 are similarly patentable over the cited references by virtue of at least such dependency.

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Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 16 and 21 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Benveniste and further in view of Pung and further in view of Chuah.

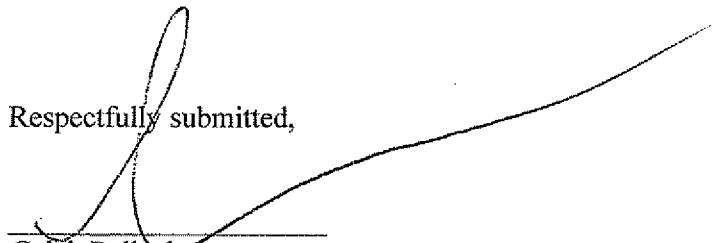
### Conclusion

In view of the foregoing amendments and remarks, Applicant asserts that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Caleb Pollack  
Attorney/Agent for Applicant(s)  
Registration No. 37,912

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**Pearl Cohen Zedek Latzer, LLP**  
1500 Broadway, 12th Floor  
New York, New York 10036  
Tel: (646) 878-0800  
Fax: (646) 878-0801